

**OFFICIAL PROCEEDINGS OF BOARD OF COMMISSIONERS OF NOBLES COUNTY, MINNESOTA**

The Board of Commissioners of Nobles County met in regular session on Tuesday, December 19, 2023, at the Government Center, in the Commissioner’s Board Room, Worthington, Minnesota. The following Commissioners attended: Robert S. Demuth, Justin Ahlers, Bob Paplow Gene Metz and Chris Dybevic.

Chairman Demuth called the meeting to order at 9:00 A.M. followed by the Pledge of Allegiance.

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| <b>1.0 Call To Order</b>  |   |
| <b>2.0 Pledge of Allegiance</b>   |   |
| <b>3.0 Approval of Agenda</b>   |   |
| <b><u>VOTING</u></b>  |   |
| It was duly passed to approve the agenda as presented.<br>Motion by: Paplow, Bob<br>Seconded by: Ahlers, Justin |   |
| <b>4.0 Recognition</b>  |   |
| <b>4.1 Visitors and Guests Welcome</b>  |   |
| <b>4.2 Years of Service Recognition</b>   |   |
| Jane Janssen, Human Resources Assistant, was recognized for 10 years of service.                                |   |
| <b>5.0 Consent Agenda</b>   |   |
| 5.1 (A)   | <b>December 07, 2023 Regular Board Meeting Minutes Draft</b><br><b><u>Attachments:</u></b><br>December 07, 2023 Draft Minutes   |
| 5.1 (B)   | <b>December 07, 2023 Truth in Taxation Meeting Minutes Draft</b><br><b><u>Attachments:</u></b><br>December 07, 2023 Draft Minutes   |
| 5.2 (A)   | <b>Meetings and Conferences – Travel Expenses</b><br><b><u>Attachments:</u></b><br>Expenses paid December 15, 2023  |
| 5.3 (A)   | <b>Auditor’s &amp; Commissioner’s Warrants</b><br><b><u>Attachments:</u></b><br>Accounts Payable Summary<br>Auditor’s Warrants  |
| 5.4   | <b>Squires, Waldspurger &amp; Mace P.A. – Retainer for 2024</b><br><b><u>Attachments:</u></b><br>Retainer Agreement   |
| 5.5   | <b>First Amendment to Memorandum of Agreement with Blue Plus Dental Innovations Coordinator</b><br><b><u>Attachments:</u></b><br>First Amendment  |
| 5.6   | <b>Minnesota Department of Employment and Economic Development Grant Contract Agreement Amendment #1<br/>Child Care Economic Development Grant Program</b><br><b><u>Attachments:</u></b><br>First Amendment |
| 5.7   | <b>Child in Need of Protection or Services (CHIPS) Services – 2024 Attorney Contracts</b><br><b><u>Attachments:</u></b><br>Kinser Law Agreement<br>Smith and Johnson Agreement                              |
| 5.8   | <b>SW Mental Health Center Community Support Services Agreement Renewal</b><br><b><u>Attachments:</u></b><br>Agreement  |
| 5.9   | <b>MN Department of Health – Grant Project Agreement Amendment #2 COVID-19 Response and Vaccine Implementation</b><br><b><u>Attachments:</u></b>  |

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|   | 2 <sup>nd</sup> Amendment  |
| 5.10  | <b>Nobles &amp; Jackson County Judicial Ditch No. 9 – Bid Package #2 – Pay Application #4</b><br><b>Attachments:</b><br>Pay Application  |
| 5.11  | <b>Cost-Sharing Agreement for the Transportation of Students in Foster Care Placement – Independent School District #511 Adrian Public Schools</b><br><b>Attachments:</b><br>Agreement                                     |
| 5.12  | <b>Janitorial Agreement – 2024 Service Amounts Marsden Building Maintenance, LLC</b><br><b>Attachments:</b><br>Contract Pricing  |
| 5.13  | <b>2024 Southwestern Mental Health Center Master Services Agreement Renewal</b><br><b>Attachments:</b><br>Agreement  |
| 5.14  | <b>2024 United Community Action Partnership Transportation Agreement</b><br><b>Attachments:</b><br>Agreement   |
| <b><u>VOTING</u></b><br>It was duly passed to approve the consent agenda as presented.<br>Moved by: Ahlers, Justin<br>Seconded by: Metz, Gene   |  |
| <b>6.0 Department Presentation</b>  |  |
| 6.1 (A)   | <b>Adrian Safe Routes to School Project</b><br><b>Attachments:</b><br>Map<br>Cost Estimate   |
| The City of Adrian and Adrian I.S.D. 511 have collaborated with Chris Webb from the Southwest Regional Development Commission (SRDC) on a pedestrian safety project. The project is expected to improve safety across two of the main roadways within Adrian, C.S.A.H. 35 and State Hwy 91. County Engineer Aaron Holmbeck was contacted by Chris Webb to sponsor the project. Chris Webb and Aaron Holmbeck were available to further explain the County’s sponsorship of this project. Minnesota’s Department of Transportation is the financial granting agency if the project is awarded. This project had been tried for in the past and was not successful, so this is the second round attempt.  |  |
| <b><u>VOTING</u></b><br>It was duly passed to approve resolution 202354 in support of the Adrian Safe Route to School project.<br>Moved by: Metz, Gene<br>Seconded by: Ahlers, Justin   |  |
| 6.2 (A & B)   | <b>County Building Alterations Rock Nobles Community Corrections and The War Memorial Building</b><br><b>Attachment:</b><br>RNCC Plans<br>RNCC Cost Estimate<br>War Memorial Building Plans<br>War Memorial Cost Estimates |
| Nobles County and Rock Nobles Community Corrections have sought Koch Hazard Architect’s assistance with building alterations at the Rock Nobles Community Corrections portion of the Prairie Justice Center. The firm is also assisting with proposed alterations at the War Memorial Building. Nolan Hazard and Keith Thompson from Koch Hazard attended to present plans for each building site.<br><br>Rock Nobles Community Corrections have received State Legislative Funds to upgrade community corrections services. Proposed upgrades include adding staff, building alterations to construct two new offices, create a training/conference room, and constructing a new garage with water & plumbing services, all at the Prairie Justice Center property. Koch Hazard presented the proposed plans and cost estimate to the board. The entire project would be funded through the State Legislative Funds. |  |

The Commissioners have directed staff to solicit services for the alteration of the existing War Memorial Building. This proposed upgrade includes modernizing the interior of the existing building to include the main floor and the lower level. Some exterior improvements are proposed to improve drainage & walkways and to add parking along 12th Street. There was large discussion with Library Board members, the Library Director, Koch Hazard and the board regarding the draft blueprints. The Library Board and Director both said they were happy with how the plans are coming together but what was being shown today was not a final plan. The Board agreed, small changes were fine. The Friends of the Library were also present and expressed their willingness to fundraise for the addition of a children's room. Koch Hazard did not have what the exact amount would be to have the addition but they were willing to figure it and provide it to the Library and the Board. Direction was given to Koch Hazard to get a specific amount – including utilities – for the addition of the Children's Room. The Library focus group would then meet to discuss the final plans and bring the item back to the Board for approval.

**VOTING**

It was duly passed to approve the Rock Nobles Community Corrections Facility upgrades including water and sewer as presented.

Moved by: Ahlers, Justin

Seconded by: Dybevic

It was duly passed to table the Worthington Library facility upgrades to gather more information.

Moved by: Metz, Gene

Seconded by: Demuth, Robert S.

6.3 (A) **2024 Elected Officials Budget Adoption**

**Attachment:**

Sheriff Budget – Resolution 202347

Recorder Budget – Resolution 202348

Attorney Budget – Resolution 202349

Auditor-Treasurer Budget – Resolution 202350

Each elected official has a departmental budget that needs to be set for 2024. The 4 departments requiring separate approvals are Attorney, Auditor-Treasurer, Recorder and Sheriff. They have been included in the budget process and their respective salaries have been set in a previous meeting. The proposed amounts for each department are as follows:

Proposed Resolution

Sheriff \$5,808,370 202347

Recorder \$418,365 202348

Attorney \$1,319,768 202349

Auditor Treasurer \$1,168,707 202350

Each of the respective budgets is to be approved separately by resolution.

**VOTING**

It was duly passed to approve resolution 202347 setting the Sheriff department budget at \$5,808,370 for 2024.

Moved by: Ahlers, Justin

Seconded by: Paplow, Bob

It was duly passed to approve resolution 202348 setting the Recorder department budget at \$418,365 for 2024.

Moved by: Demuth, Robert S.

Seconded by: Metz, Gene

It was duly passed to approve resolution 202349 setting the Attorney department budget at \$1,319,768 for 2024.

Moved by: Paplow, Bob

Seconded by: Ahlers, Justin

It was duly passed to approve resolution 202350 setting the Auditor-Treasurer department budget at \$1,168,707 for 2024.

Moved by: Dybevic, Chris

Seconded by: Metz, Gene

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| 6.3 (B)  | <b>2024 Budget Adoption</b><br><u>Attachments:</u><br>2024 Budget Summary by Fund<br>Resolution 202351                       |
| Amy Dykstra, Finance Director, presented the Board with the proposed 2024 County budget.   |  |
| <b><u>VOTING</u></b><br>It was duly passed to adopt resolution 202351 approving the 2024 County Budget as presented.<br>Moved by: Metz, Gene<br>Seconded by: Dybevick, Chris   |  |
| 6.3 (C)  | <b>2024 Property Tax Levy Adoption</b><br><u>Attachments:</u><br>Resolution 202352   |
| Amy Dykstra, Finance Director, presented the Board with the proposed 2024 property tax levy.   |  |
| <b><u>VOTING</u></b><br>It was duly passed to adopt resolution 202352 approving the 2024 property tax levy as presented.<br>Moved by: Ahlers, Justin<br>Seconded by: Paplow, Bob   |  |
| 6.4 (A)  | <b>Personnel Policy P-214A Telecommuting Policy</b><br><u>Attachments:</u><br>P-214A Draft Policy<br>P-214A Final Policy     |
| County employees do not have workers' compensation coverage if they telecommute out of state on a regular basis. We have employees that live in Iowa and South Dakota. The County Board approved out of state workers compensation coverage at their October 24, 2023 board meeting. This will now allowed employees that live out of state to telecommute on a regular basis. Personnel policy P-214A Telecommuting has been updated to account for this change. Additionally a provision was added for emergencies that the county administrator may grant telecommuting further away from the primary worksite.   |  |
| <b><u>VOTING</u></b><br>It was duly passed to approve Personnel Policy P-214A as presented effective 01/01/2024.<br>Moved by: Demuth, Robert S.<br>Seconded by: Paplow, Bob  |  |
| 6.4 (B)  | <b>Personnel Policy P-216 Non-Pension Benefits Policy</b><br><u>Attachments:</u><br>P-216 Draft Policy<br>P-216 Final Policy |
| Current policy states that if an employee on an unpaid leave of absence decides to drop the County insurance they cannot add insurance coverages back when they return to work and they would have to wait until the next open enrollment period if they wanted to re-enroll. PEIP informed us if our policy allowed them to come back on the health coverage when they return then they would allow it. Several different scenarios were discussed as to why an employee may drop the County insurance on an unpaid leave of absence. Regardless of the situation, with the new proposed policy, an employee would be able to re-enroll when they returned to work. |  |
| <b><u>VOTING</u></b><br>It was duly passed to approve Personnel Policy P-216 as presented effective 12/19/23.<br>Moved by: Paplow, Bob<br>Seconded by: Metz, Gene  |  |
| 6.4 (C)  | <b>2024 County Position Allocation</b><br><u>Attachments:</u><br>2024 Position Allocation – Resolution 202353                |
| In accordance with the adopted 1976 Personnel Act, Chapter 182, Laws of 1976, the act provides for County Personnel Administration to set the maximum positions allocated to each office for 2024. In 2023 department heads were allowed to fill a vacancy in their department without board approval if the position was included in the position allocation list. The 2024 position allocation list is in conjunction with the proposed 2024 budget.   |  |

**VOTING**

It was duly passed to adopt resolution 202353 approving the 2024 County Position Allocation.

Moved by: Metz, Gene

Seconded by: Dybevick, Chris

**7.0 Administration Presentation**

7.1 **Reading Sewer District – Permit Application Submittal**

**Attachments:**

Permit Application

The Board of Commissioners, acting as the Reading Sanitary District, is being requested to acknowledge this NPDES/SDS application for the completion of a sanitary sewer system for the community of Reading, MN. Stantec Engineering is assisting the Reading Sanitary District with the creating and permitting process for a Reading, MN Sanitary Sewer System. This NPDES/SDS Permit Application is just one of the many ongoing processes to construct that system. The County Commissioners are asked to consent to this permit application and to acknowledge the \$9,300.00 permit fee which will be eventually assessed to this project.

**VOTING**

It was duly passed to approve the NPDES/SDS Permit Application along with the fee of \$9,300.00

Moved by: Ahlers, Justin

Seconded by: Demuth, Robert S.

7.2 **Nobles County Government Center Lease Renewal – S.W. MN Private Industry Council**

**Attachments:**

Lease Agreement

The Southwest Minnesota Private Industry Council has leased Government Center space within the CareerForce area. Their lease came due earlier within the year and they are requesting a new five-year lease agreement. Attached was a proposed agreement that was worked on between Administrator Heitkamp and the PIC board. There is an additional office and storage space that is requested as a part of their lease renewal. This added space will account for 387 sq. ft. of added area. This lease will begin on January 1, 2024 and would expire June 30, 2028. Subsequent periods will be acknowledged annually (July-June). Payment terms are based upon monthly rates and a sixty-day out clause for both parties. A \$ .25 per sq. ft. annual escalator is acknowledged within the monthly lease amounts. The lease-expiration date of June 30, 2028 is advantageous as the adjacent Department of Education and Economic Development area will be due for renewal at the same time.

**VOTING**

It was duly passed to approve the Southwest Minnesota Private Industry Council lease renewal as presented.

Moved by: Dybevick, Chris

Seconded by: Ahlers, Justin

Nobles County was invited to a joint meeting on November 29, 2023 with the City of Worthington and Worthington’s I.S.D. 518. The lone topic on that Joint Meeting Agenda was the repair of the existing Worthington Ice Arena or the planned construction of a new ice arena. Testimony was offered by the ice arena stakeholders in regards to their concern for future ice. Each entity was tasked at the end of that meeting with identifying how they could contribute to a potential remedy for an existing and failing ice arena. The Commissioners were asked to discuss and potentially act upon their ability to contribute toward that effort. The December 7, 2023 Board Meeting is a first opportunity for the Board of Commissioners to formally consider involvement in an ice arena project. In an effort to identify potential costs, a general bond schedule was offered during the meeting. Financing scheduling and legal structuring are factors that could alter eventual costs. Discussion was had and each Commissioner voiced their opinions on the subject. The County’s bond rating and borrowing potential was discussed.

**8.0 Inter-Agency Reports / Announcements**

8.1 **Committee and Board Reports**

Commissioner, District 2; Gene Metz: Reported on the SMOC IT issues and thanked the County for assisting.

Commissioner, District 5; Chris Dybevick: Reported on Murray County and their potential internship program.

Administration; Bruce Heitkamp: Reported on looking into supplemental insurance for cyber security.

Commissioner, District 4; Robert S. Demuth: Reported on Okabena Ocheda Watershed District and interest from Pheasants Forever to purchase land from them.

Commissioner, District 3; Bob Paplow: No Report.

Commissioner, District 1; Justin Ahlers: No Report.

Attorney, Braden Hoefert: No Report.

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| 8.2 | <b>Correspondence</b><br><b>Attachments:</b><br>Recruitment Memo |
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| 8.3 | <b>Calendar</b><br><b>Attachments:</b><br>December 2023<br>January 2024 |
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| 9.0 | <b>Other / Future Business</b> |
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**Work Session** – Wednesday December 27, 2023 8:30 a.m.

Government Center Board Room, Worthington, MN

**Board Meeting** – Tuesday January 2, 2024 9:00 a.m.

Government Center Board Room, Worthington, MN

**10.0 Adjournment**

It was duly passed to adjourn the meeting at 10:44 a.m.

Moved by: Dybevic, Chris

Seconded by: Ahlers, Justin



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Nobles County Board Chair



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Nobles County Administrator